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Suite 1041
Los Angeles, California 90012

August 21, 1972

Leonard B. Boudin, Esq.
Rabinowitz, Boudin & Standard
30 East 42nd Street
New York, N.Y. 10017

Re: United States v. Russo and Ellsberg

Dear Leonard:

I just received your letter of August 16th, a copy of which is enclosed.

Peter Young and I discussed your list of things to do and divided them up into our own areas of responsibility. The following is a listing of each item mentioned in your letter and a notation as to whom is going to do what:

1. I had already called the Court of Appeals Clerk and asked if there was a judgment. The clerk informed me that there was no judgment and that the only document on file was the signed opinion of the Ninth Circuit Judges.

2. The motion for change of venue: Peter and I have divided this motion up as follows:

(a) Peter will write the actual motion and the supporting memorandum of law;

(b) I will do the analysis of the voir dire of the 100 jurors using the voir dire transcript;

(c) Peter will hire one or two researchers to develop the study of Los Angeles as a defense-conspiracy oriented community in contrast with other communities. They will research the question of census and other socio-demographic studies of Los Angeles as compared

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with New York, Washington and Boston.

(d) I will develop the analysis of the inconvenience and expense which the trial thus far has caused us and the anticipated expense for counsel, witnesses, etc. I will do this in conjunction with Stanley.

Peter and I have arranged to meet in San Francisco September 15th to put all these different things together in formal form.

3. The wiretapping motion based on inadequacy of the government's affidavits in response to our motion: I will do that. I have arranged with Ken Bass, as I told you, to send the Ahmad wiretap transcript to you. Would you please send a copy to me for use in the preparation of this motion.

4. The Litt Motion: Peter will discuss this matter with Barry and arrange for Barry to do it.

5. The national defense: I do not believe that I am qualified to develop the trial memorandum you speak of. I believe that either Mort or Adam Bennion, or both, are the appropriate persons to do this. I will call Mort and discuss the matter with him and then be back in touch with you.

6. Witness statements: These are being sent by REA Air Express to you today.

7. The trial memoranda: I tend to think that the trial memoranda which I did on Counts 2 and 11 are fairly comprehensive. If I were to attempt one trial memorandum for each count, I should get together with you and Charlie before doing it. Your further thoughts on this are welcomed.

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8. Your legal files: They have been sent.

9. The existing jury: A jury book which will present detailed information on each juror is in preparation and should be completed by September 10th. The persons in charge of that jury book are Chip Miles and Bruce Elgin at Fourth Street. As to the development of further information on the jury, Peter and I have assigned this to Lenny Weinglass. Peter will discuss the matter with him.

10. A new jury: Peter and I assigned this area to Lenny Weinglass, also. Peter will discuss it with him.

11. The current selection of jurors: This item also falls within Lenny's jurisdiction. If you would like to have a person from our office present at the jury drawings, I would suggest that Art Berman attend. Please notify me if you would like me to inform him that he should be present at these drawings.

12. The government's information on the jury: Your formal files do contain all the formal motions. The Fourth Street people will send the transcripts to me and I will send them to you after using them for preparation of the motion for a change of venue. Therefore, it will be a while before you get them. I will exert the pages relating to the government's information on the jury and send them to you.

13. The transcripts of the pre-trial proceedings: See paragraph 12 above. I will examine the index and correct it prior to sending it on to you.

14. Actual copies of the transcripts: See paragraphs 12 and 13 above. I believe that I should be able to get the transcripts to you shortly after my September 15th meeting with Peter.

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I am leaving within the next fifteen minutes for my home in La Jolla where I will be until Friday. The telephone number there is (714) 454-7508. On Friday I will meet Joe at Stanley's in Santa Barbara, spend the night there and then drive up the Coast. On Monday, the 28th, I will be at the following telephone number: (415) 771-1269. I will be at that number until September 1st, on which date I am moving to 700 27th Street, San Francisco, California (no telephone number as yet). You can contact me through Joe at the ACLU until I get a telephone number. The ACLU's telephone number is (415) 771-1269.

Lenny Weinglass is currently in San Francisco and thereafter he is going to Miami. Therefore I have coordinated the above mentioned 14 items with Peter rather than with Lenny. I hope that the division of labor which we have decided upon is satisfactory. If not, please let me know.

I just remembered your letter about the electronic surveillance portions of the transcript. Peter has agreed to see that they are sent to you.

Sincerely,

DAD:grr

Dolores A. Donovan

cc: Charles R. Nesson, Esq.
Mr. Stanley K. Sheinbaum
Leonard I. Weinglass, Esq.
H. Peter Young, Esq.
Dr. Morton Halperin
Dr. Daniel Ellsberg✓